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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

09/728,159

Filing Date

December 2, 2000

First Named Inventor

Brian Shuster

Group Art Unit

Examiner Name

Attorney Docket Number

04633P005x2

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Response
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Eric S. Hyman, Reg. No. 30,139

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Signature

Date

February 6, 2001

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 6, 2001

Typed or printed name

Melissa Stead

Signature

Date

02/06/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# FEE TRANSMITTAL

## for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 40.00)

## Complete if Known

Application Number	09/728,159
Filing Date	12/02/00
First Named Inventor	Brian Shuster, et al.
Examiner Name	
Group Art Unit	
Attorney Docket Number	04633P005x2

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **02-2666**Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Money Order  Other

## FEE CALCULATION

## 1. FILING FEE

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims	- 20**	=	Extra Claims	Fee from below	Fee Paid
Independent Claims	2	=	0	X 18.00	\$0.00
Multiple Dependent Claims	1	- 3**	0	X 80.00	\$0.00

## Multiple Dependent Claims

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple Dependent claim
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0.00

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
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112	920	112	920 Requesting publication of SIR prior to Examiner action	
13	1,840	113	1,840 Requesting publication of SIR after Examiner action	
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116	390	216	195 Extension for response within second month	
117	890	217	445 Extension for response within third month	
118	1,390	218	695 Extension for response within fourth month	
128	1,890	228	945 Extension for response within fifth month	
119	310	219	155 Notice of Appeal	
120	310	220	155 Filing a brief in support of an appeal	
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149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

40.00

## SUBMITTED BY

## Complete (if applicable)

Typed or Printed Name	Eric S. Hyman, Reg. No. 30,139			Reg. Number	
Signature		Date	2/1/01	Deposit Account User ID	02-2666

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Attorney Docket No.: 04633P005x2

OIPE 0410

215 Sector #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

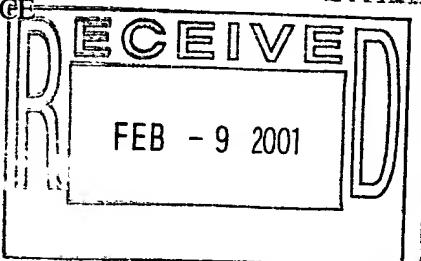
In re the Application of:

BRIAN SHUSTER, ET AL.

Application No.: 09/728,159

Filed: December 02, 2000

For: **METHOD AND APPARATUS FOR  
CONTROLLING AN ANIMATRONIC DEVICE  
IN AN INTERACTIVE GAME ENVIRONMENT**



Assistant Commissioner for Patents  
Attention: Box Missing Parts  
Washington, D.C. 20231

RECEIVED  
FEB 27 2001  
OIPE/JCWS  
RECEIVED  
APR 25 2001  
Technology Center 2100

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Application mailed January 17, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e); and
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

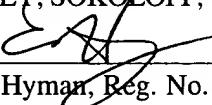
02/28/2001 NYUSUF1 00000025 09728159  
01 FC:105 130.00 OP

Dated: 2/6/01

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025  
Telephone: (310) 207-3800

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

  
Eric S. Hyman, Reg. No. 30,139

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on:

  
Melissa Stead

2-6-01

Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,159	12/02/2000	Brian Shuster	04633P005x2

CONFIRMATION NO. 3674

08791  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

FORMALITIES LETTER



OC000000005683469



Date Mailed: 01/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

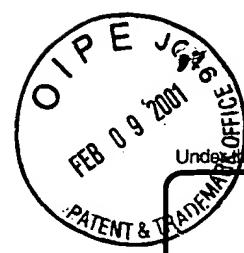
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Sebile Bekelle  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



RECEIVED  
APR 25 2001  
Technology Center 210

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

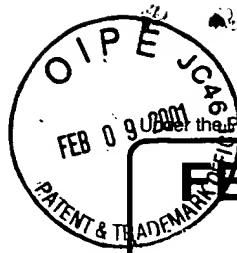
		Application Number	09/728,159
		Filing Date	December 2, 2000
		First Named Inventor	Brian Shuster
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	5	Attorney Docket Number	04633P005x2

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Postcard; copy of Notice; Declaration and Power of Attorney
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	February 6, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: _____			
Typed or printed name	Melissa Stead		
Signature		Date	2-6-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# FEET TRANSMITTAL

## for FY 2001

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TOTAL AMOUNT OF PAYMENT (\$ 130.00)

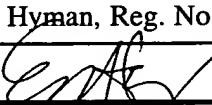
## Complete if Known

Application Number	09/728,159
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First Named Inventor	Brian Shuster, et al.
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RECEIVED

APR 25 2001

Technology Center 2100

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																	
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <span style="border: 1px solid black; padding: 2px;">02-2666</span></p> <p>Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Blakely, Sokoloff, Taylor &amp; Zafman LLP</span></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEE</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65 Surcharge - late filing fee or oath</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25 Surcharge - late provisional filing fee or cover sheet.</td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130 Non-English specification</td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520 For filing a request for ex parte reexamination</td> </tr> <tr> <td>112</td> <td>920</td> <td>112</td> <td>920 Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>113</td> <td>1,840</td> <td>113</td> <td>1,840 Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55 Extension for response within first month</td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195 Extension for response within second month</td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445 Extension for response within third month</td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695 Extension for response within fourth month</td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945 Extension for response within fifth month</td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155 Notice of Appeal</td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155 Filing a brief in support of an appeal</td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135 Request for oral hearing</td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510 Petition to institute a public use proceeding</td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55 Petition to revive - unavoidably</td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620 Petition to revive - unintentionally</td> </tr> <tr> <td>142</td> <td>1,240</td> <td>242</td> <td>620 Utility issue fee (or reissue)</td> </tr> <tr> <td>143</td> <td>440</td> <td>243</td> <td>220 Design issue fee</td> </tr> <tr> <td>144</td> <td>600</td> <td>244</td> <td>300 Plant issue fee</td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130 Petitions to the Commissioner</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50 Petitions related to provisional applications</td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240 Submission of Information Disclosure Stmt</td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40 Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>146</td> <td>710</td> <td>246</td> <td>355 Filing a submission after final rejection (37 CFR 1.129(a))</td> </tr> <tr> <td>149</td> <td>710</td> <td>249</td> <td>355 For each additional invention to be examined (37 CFR 1.129(b))</td> </tr> <tr> <td>179</td> <td>710</td> <td>279</td> <td>355 Request for Continued Examination (RCE)</td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900 Request for expedited examination of a design application</td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> </tr> <tr> <td colspan="2">* or number previously paid, if greater; For Reissues, see above</td> <td colspan="2">SUBTOTAL (3) (\$ 130.00)</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code	Fee (\$)		105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet.	139	130	139	130 Non-English specification	147	2,520	147	2,520 For filing a request for ex parte reexamination	112	920	112	920 Requesting publication of SIR prior to Examiner action	113	1,840	113	1,840 Requesting publication of SIR after Examiner action	115	110	215	55 Extension for response within first month	116	390	216	195 Extension for response within second month	117	890	217	445 Extension for response within third month	118	1,390	218	695 Extension for response within fourth month	128	1,890	228	945 Extension for response within fifth month	119	310	219	155 Notice of Appeal	120	310	220	155 Filing a brief in support of an appeal	121	270	221	135 Request for oral hearing	138	1,510	138	1,510 Petition to institute a public use proceeding	140	110	240	55 Petition to revive - unavoidably	141	1,240	241	620 Petition to revive - unintentionally	142	1,240	242	620 Utility issue fee (or reissue)	143	440	243	220 Design issue fee	144	600	244	300 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Petitions related to provisional applications	126	240	126	240 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	710	246	355 Filing a submission after final rejection (37 CFR 1.129(a))	149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))	179	710	279	355 Request for Continued Examination (RCE)	169	900	169	900 Request for expedited examination of a design application	Other fee (specify) _____				* or number previously paid, if greater; 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